



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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August 26, 1997

Paul Glauser, Environmental Advisor
Jack B. Parson Companies
2350 South 1900 West
P.O. Box 3429
Ogden, Utah 84409

Dear Mr. Glauser:

Re: Request for Time Extension to Submit Notice of Intention to Conduct Mining Operations, Hot Springs Quarry, Box Elder County, Utah

The Division appreciates your keeping us informed via phone calls and mail regarding the status of the Hot Springs project. As discussed with you on the phone, the Division considers landscape rock and riprap as building stone. The Division considers these types of materials as industrial minerals and not as sand, gravel or rock aggregate. These materials fall within your own definition of a 'mineral' in that "they do have a higher value than the surrounding materials." While the Hot Springs site may have been a gravel pit in the past, for the last several months, it has apparently produced mostly landscape rock and riprap. Thus the Division is requiring a permit for this site. The Division has permitted over 160 rock quarries throughout the State. This is not a unique situation.

As for your concern regarding the Division wanting to permit all your operations, let me offer the following. By statute, sand, gravel and rock aggregate are currently exempt from the Utah Mined Land Reclamation Act (the Act). The Division has no intention of regulating sand and gravel operations (such as your McGuire Pit or your Brigham City Pit, these are sand and gravel operations). It would take a statutory change first. Rock aggregate was not defined by statute or rule, which causes a 'grey area' as to whether some operations should be permitted under the Act. Thus the Division has initiated rule making to define 'rock aggregate'. This rule making process is still in the informal rule making stage.

The Division will grant Jack B. Parson Companies an extension until September 22, 1997, to file a Notice of Intention to Conduct Mining Operations for the Hot Springs Quarry. This is the last extension I can grant. If additional time is needed, it will require approval from the Associate Director of Mining. Please feel free to give me a call if I can help clarify any other concerns you may have.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lynn Kunzler'.

Lynn Kunzler
Senior Reclamation Specialist